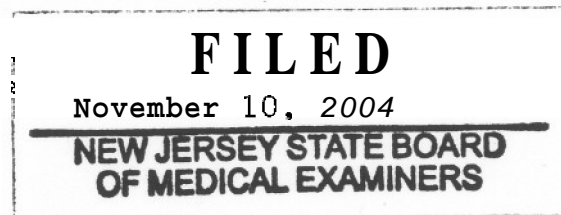


PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101



By: Siobhan B. Krier
Deputy Attorney General
Tel. (973) 648-2478

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MEDICAL EXAMINERS

IN THE MATTER OF THE SUSPENSION
OR REVOCATION OF THE LICENSE OF

DEAN A. AMBROSE, D.O.
LICENSE NO. MB48347

Administrative Action

CONSENT ORDER

TO PRACTICE MEDICINE AND SURGERY :
IN THE STATE OF NEW JERSEY

This matter was opened to the State Board of Medical Examiners ("Board") upon receipt of information from the Physicians' Health Program of the Medical Society of New Jersey ("PHP") that Respondent, Dean A. Ambrose, D.O., had failed to cooperate with his PHP aftercare program and appeared to have relapsed into the abuse of psychoactive substances, namely meperidine.

Respondent began abusing meperidine in late 1999, after it was prescribed for a fractured shoulder. He approached the PHP in January of 2000 for treatment. Respondent relapsed in 2001. During his period of relapse, Respondent violated N.J.S.A. 2C:21-20d, 2C:35-13, 2C:5-1, 2C:35-10a(1), 2C:35-7 and 2C:36-6.

CERTIFIED TRUE COPY

On November 14, 2001, Respondent entered into a Consent Order of Voluntary Surrender of Licensure with the Board, whereby Respondent surrendered his license to practice medicine and surgery in the State of New Jersey for a minimum period of three (3) months following an admitted relapse into psychoactive substance abuse.

As a result of his earlier Conduct, Respondent was arrested in March of 2002 and was entered into the Camden County Pre-Trial Intervention Program and received a three (3) year supervisory period, ending in 2005, or sooner, at the court's discretion.

In or around February of 2002, Respondent enrolled in the PHP and sought in-patient treatment for his addiction. Thereafter, Respondent petitioned the Board for reinstatement of his license and appeared before a Committee of the Board on January 22, 2003. After his appearance, however, the Board received information that Respondent engaged in the practice of medicine prior to approval of his application for reinstatement. The Board conducted an investigation and learned that in March of 2003, Respondent resumed his practice prior to reinstatement of his license.

On June 23, 2003, the Board admonished Respondent for resuming practice prior to the Board's decision and reinstated Respondent's license, subject to certain restrictions. Among other conditions, Respondent agreed to: (1) pay the Board's costs of investigation related to his unlicensed practice, in monthly installments; (2) refrain from taking any psychoactive substances; (3) continue to

meet with PHP to discuss the progress of his rehabilitation; (4) participate in random urine monitoring conducted under the auspices of the PHP; and (5) comply with his PTI program.

In 2004, the Board received information that Respondent was writing prescriptions for injectable meperidine, allegedly for patient T.D.,¹ and personally picking the prescriptions up from local pharmacies. Shortly thereafter, on August 4, 2004, the Board was notified by the PHP that Respondent was not in compliance with the monitoring program. Respondent was scheduled to meet with the PHP for a face-to-face visit on August 4th, and did appear, but after he was advised that he had to undergo a urine monitoring, Respondent excused himself and did not return. Respondent later contacted the PHP and advised that he was unavailable for monitoring until August 9, 2004.

The Board learned that Respondent was not in compliance with his aftercare program yet again, when Respondent advised the PHP that he was unavailable for urine monitoring from August 22, 2004 to August 28, 2004, for which period of time Respondent was not granted a waiver.

A review of the Board's file revealed that Respondent violated the June 23, 2003 Consent Order in that he failed to timely or fully reimburse the Board for the costs of the investigation related to his unlicensed practice.

¹The patient's identity is known to Respondent.

Following the filing of a Verified Complaint and order to Show Cause on August 6, 2004, seeking the temporary suspension of Respondent's License due to his failure to comply with his PHP aftercare program, Respondent voluntarily surrendered his license until September 8, 2004. The matter was adjourned at Respondent's request, allowing him additional time to obtain counsel. On August 11, 2004, Respondent agreed to appear at the PHP and give a hair sample for monitoring. An Interim Consent Order reflecting same was filed on September 1, 2004.

A second adjournment was sought and Respondent agreed to continue the voluntary surrender of his license until October 13, 2004. Further, Respondent agreed to make the necessary financial arrangements with the PHP in order for his hair sample to be tested for meperidine. In addition, Respondent agreed to forward the original patient record for patient T.D., under whose name Respondent was writing prescriptions for injectable meperidine. An Interim Consent Order memorializing same was filed on September 9, 2004,

A third adjournment was sought and Respondent agreed to continue the voluntary surrender of his license until November 10, 2004. The matter was adjourned to allow for the return of the hair analysis results. An Interim Consent order memorializing same was filed on October 14, 2004.

On October 18, 2004, the Board received information from the PHP that Respondent's hair sample had tested positive for meperidine.

In lieu of further proceedings, Respondent and the Board of Medical Examiners have agreed to the form and entry of the within Order.

Accordingly, IT IS on this 10 day of November,

2004

ORDERED that:

1. Respondent, Dean A. Ambrose, D.O.'s license to practice medicine and surgery in the State of New Jersey shall be suspended for a period of three (3) years, effective as of October 8, 2004, with at least the first year active and the remainder stayed at the Board's discretion, to be a period of probation.

2. Respondent shall immediately deliver his original license, biennial registration and State CDS registration to the State Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08725-0183.

3. Respondent shall cease and desist from engaging in any function or service which constitutes the practice of medicine and shall take no steps to renew his medical license or CDS registration unless or until his license is reinstated.

4. Respondent shall immediately inform the DEA of this Order.

5. At the conclusion of the commencement of the one-year period of active suspension, Respondent may apply for reinstatement. Said application shall demonstrate with evidence to the Board's satisfaction that he is fit, competent and sufficiently rehabilitated to reenter medical practice.

6. Prior to restoration of his License, Respondent shall:

- a. Appear before the Board, or a Committee thereof, to discuss his readiness to reenter the practice of medicine. At that time, Respondent shall be prepared to propose his plans for future practice in New Jersey;
- b. Provide the Board with evidence that he is capable of discharging the functions of a licensee in a manner consistent with the public's health, safety and welfare and that he is not suffering from any impairment or limitation resulting from the use of any psychoactive substance;
- c. Provide the Board with reports from any mental health professionals involved in Respondent's care or treatment during the period of time from his entry into treatment to his appearance;
- d. Provide the Board with a report from the FHP detailing the nature and extent of his involvement and his cooperation therewith;

- e. Provide the Board with a full account of his conduct in the intervening period of time from his entry into treatment to his appearance.

7. If the Board determines that Respondent's license shall be restored, Respondent shall be placed on probation in accordance with such conditions and restrictions as may be determined by the Board at that time including but not limited to the completion of educational courses and/or programs, limitations on practice and reporting/monitoring requirements.

8. Respondent shall be liable for investigative costs in the amount of \$6,453.43. The total amount shall be memorialized in a Certificate of Debt duly recorded by the State of New Jersey and shall be paid at the Court rule rate of interest in monthly installments of \$358.52, to be received by the Board by the twenty-eighth day of each month, commencing on November 28, 2004 and ending on April 28, 2005. Payments shall be made by certified check or money order payable to the State of New Jersey and submitted to the State Board of Medical Examiners at P.O. Box 183, Trenton, New Jersey 08625-0183. Any failure to make payments under the terms of this Order shall accelerate the total debt to the Board and shall subject Respondent to any and all remedies available to the Board under N.J.S.A. 45:1-21 and N.J.S.A. 45:1-22.

9. Respondent shall satisfy, in full, his financial obligation to the Board arising from the Consent Order of June 23, 2003.

10. Respondent shall refrain from taking any psychoactive substances, unless those substances are prescribed by a treating physician for a documented medical condition, and only if notification is first given to the Medical Director of the PHP.

11. Respondent shall attend Alcoholics Anonymous and/or Narcotics Anonymous Meetings as directed by the PKP and at a minimum frequency of three (3) times per week.

12. Respondent shall meet for face-to-face visits with a representative from the PHP to discuss his progress on a schedule to be determined by the Medical Director of the PHP.

13. Respondent shall, at his own expense, undergo immediate psychological evaluation by a Board-approved psychotherapist and comply with any conditions or recommendations made thereby. At a minimum, Respondent shall commence weekly psychotherapy for a period of time recommended by the psychotherapist. Respondent shall waive any confidentiality associated with the treatment to the extent necessary to allow full reporting regarding the progress and nature of psychotherapy to be made to the Board. The psychotherapist shall submit quarterly reports to the Board concerning the progress of the Respondent in psychotherapy and shall provide immediate report to the Board in the event that

Respondent fails to engage in the recommended psychotherapy or otherwise fails to comply with any conditions placed on him by the Board.

14. Respondent shall participate in random urine monitoring, to include random testing for meperidine, conducted under the auspices of the PHP on a schedule determined by the PHP and a minimum frequency of two times per week for the first year, and then on a weekly basis thereafter, at the PHP's discretion.

15. Respondent shall cooperate fully with the PHP in all respects of his aftercare program.

16. The PHP shall submit quarterly reports to the Board on Respondent's compliance with his treatment plan and with the Board's mandates, and shall agree to immediately notify the Board if Respondent suffers a relapse or fails to comply with his aftercare program.

17. Respondent shall provide the Board with proof that the Camden County Pre-Trial Intervention Program has been provided with a copy of the within Order.

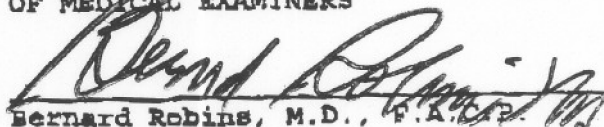
18. Respondent shall observe the directives for licensees whose licenses have been suspended or revoked, a copy of which is attached to this Order.

Fax:609-984-9315

Nov 9 2004 16:51 P.11

NEW JERSEY STATE BOARD
OF MEDICAL EXAMINERS


By:


Bernard Robins, M.D., F.A.C.P.
Board President

I have read and understood
the within Order and agree
to be bound by its terms.


Dean A. Ambrose, D.O.

Consent is hereby given
as to the form and entry
of this Order.


JoAnn Pietro, Esq.
Attorney for Respondent

**DIRECTIVES APPLICABLE TO ANY MEDICAL BOARD UCENSEE
WHO IS DISCIPLINED OR WHOSE SURRENDER OF LICENSURE
HAS BEEN ACCEPTED**

APPROVED BY THE BOARD ON MAY 10, 2000

All **licensees** who **are the** subject of a disciplinary **order of the Board** are required to provide the information required on the addendum to these directives. The information provided will **be** maintained separately and **will not be part of the** public document filed with the Board. Failure **to provide the information** required may **result in further disciplinary action for** failing to cooperate with the Board, as required by N.J.A.C. 13:45C-1 et seq. Paragraphs 1 through 4 below shall apply **when** a license is suspended or revoked or permanently surrendered, with or without prejudice. Paragraph 5 applies to licensees who are the subject of **an** order which, while permitting continued practice, **contains** a probation or monitoring requirement.

1. Document Return and Agency Notification

The **licensee** shall promptly forward to the Board office at Post Office **Box 183**, 140 **East** Front Street, 2nd floor, Trenton, New Jersey 08625-0183, the **original** license, current biennial registration and, if applicable, **the** original CDS registration. In **addition**, if the **licensee holds** a Drug Enforcement Agency (DEA) registration, he or she shall promptly **advise** the DEA **of the** licensure action. (With respect to suspensions of a finite term, at the conclusion of the term, the licensee may contact **the Board office** for the **return of the** documents previously **surrendered** to the Board. In addition, at the conclusion of the term, the licensee should contact the **DEA** to **advise of** the resumption of practice and to ascertain the impact of that change upon his/her DEA registration.)

2 Practice Cessation

The licensee shall cease **and** desist from engaging **in** the practice of medicine in **this** State. This prohibition not only bars a licensee from rendering professional services, but also from providing **an** opinion as to professional practice or its application, or representing him/herself as being eligible to practice. (Although the licensee need not **affirmatively** advise patients or others of the revocation, **suspension** or **surrender**, the licensee must truthfully disclose his/her licensure status in response to inquiry.) The disciplined licensee is **also prohibited** from occupying, sharing or using office **space** in which another licensee provides health care services. The disciplined licensee may **contract for**, accept payment from another licensee for or rent at fair market value office premises and/or equipment. In no case may the **disciplined licensee** authorize, **allow** or condone the **use of his/her** provider number **by** any health care practice or **any** other licensee or health care provider. (In situations where the licensee has **been** suspended for **less than one year**, the licensee may accept payment from another professional who is **using** his/her office during the period that the licensee is suspended, for the payment of salaries for office staff employed at the **time of the Board** action.)

A licensee whose license has been revoked, suspended for one (1) year or more or permanently surrendered must remove signs and take affirmative action to stop advertisements by which his/her eligibility to practice is represented. The licensee must also take steps to remove his/her name from professional listings, telephone directories, professional stationery, or billings. If the licensee's name is utilized in a group practice title, it shall be deleted. Prescription pads bearing the licensee's name shall be destroyed. A destruction report form obtained from the Office of Drug Control (973-504-6558) must be filed. If no other licensee is providing services at the location, all medications must be removed and returned to the manufacturer, if possible, destroyed or safeguarded. (In situations where a license has been suspended for less than one year, prescription pads and medications need not be destroyed but must be secured in a locked place for safekeeping.)

3. Practice Income Prohibitions/Divestiture of Equity Interest in Professional Service Corporations and Limited Liability Companies

A licensee shall not charge, receive or share in any fee for professional services rendered by him/herself or others while barred from engaging in the professional practice. The licensee may be compensated for the reasonable value of services lawfully rendered and disbursements incurred on a patient's behalf prior to the effective date of the Board action.

A licensee who is a shareholder in a professional service corporation organized to engage in the professional practice, whose license is revoked, surrendered or suspended for a term of one (1) year or more shall be deemed to be disqualified from the practice within the meaning of the Professional Service Corporation Act. (N.J.S.A. 14A:17-11). A disqualified licensee shall divest him/herself of all financial interest in the professional service corporation pursuant to N.J.S.A. 14A:17-13(c). A licensee who is a member of a limited liability company organized pursuant to N.J.S.A. 42:1-44, shall divest him/herself of all financial interest. Such divestiture shall occur within 90 days following the entry of the Order rendering the licensee disqualified to participate in the applicable form of ownership. Upon divestiture, a licensee shall forward to the Board a copy of documentation forwarded to the Secretary of State, Commercial Reporting Division, demonstrating that the interest has been terminated. If the licensee is the sole shareholder in a professional service corporation, the corporation must be dissolved within 90 days of the licensee's disqualification.

4. Medical Records

If, as a result of the Board's action, a practice is closed or transferred to another location, the licensee shall ensure that during the three (3) month period following the effective date of the disciplinary order, a message will be delivered to patients calling the former office premises, advising where records may be obtained. The message should inform patients of the names and telephone numbers of the licensee (or his/her attorney) assuming custody of the records. The same information shall also be disseminated by means of a notice to be published at least once per month for three (3) months in a newspaper of

general circulation in the geographic vicinity in which the practice was conducted. At the end of the **three** month period, the **licensee** shall file with the **Board** the **name and telephone number** of the contact **person** who will have access to **medical** records of former patients. Any change in that individual or his/her telephone number shall **be** promptly **reported** to the Board. When a patient or his/her representative **requests a** copy of his/her medical record or **asks that** record **be** forwarded to another health **care** provider, the licensee shall promptly provide the record without charge to **the** patient.

5. Probation/Monitoring Conditions

With **respect** to any licensee who is the **subject** of any **Order** imposing a probation or monitoring **requirement** or a stay of an **active** suspension, in whole or in part, which **is** conditioned upon compliance with a probation or monitoring requirement, the **licensee** shall fully cooperate with the Board and its **designated** representatives, including the Enforcement Bureau of the Division of Consumer Affairs, in ongoing monitoring of the licensee's status and practice. Such monitoring shall be at the expense of the disciplined practitioner.

(a) Monitoring of practice conditions may include, but is not limited to, inspection of the professional premises and equipment, and inspection and copying of patient records (confidentiality of patient identity shall be protected by the **Board**) to verify compliance with the Board Order **and accepted standards of** practice.

(b) Monitoring of status conditions for an impaired practitioner may include, but **is** not limited to, practitioner cooperation in providing releases permitting unrestricted access to records and other information to **the extent** permitted by law from any **treatment** facility, other treating practitioner, support group or other individual/facility **involved in** the education, treatment, monitoring or oversight of the practitioner, or maintained by a rehabilitation program for impaired practitioners. If bodily substance **monitoring has been ordered**, the practitioner shall fully cooperate by responding to a demand for breath, blood, **urine** or **ether** sample in a timely manner and **providing the designated** sample.

NJ License#

ADDENDUM

Any **licensee** who is the subject **of an order of the Board suspending, revoking or otherwise conditioning the license, shall provide the following information at the time that the order is signed, if it is entered by consent, or immediately after service of a fully executed order entered after a hearing. The information required here is necessary for the Board to fulfill its reporting obligations:**

Social Security Number: _____

List the Name and Address of any and all Health Care facilities with which you are affiliated:

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1264	1265	1266
1267	1268	1269
1270	1271	1272
1		